

DOCUMENT OF EXHAUSTION  
ADMINISTRATIVE REMEDIES

TOE REPORTS



## COMMONWEALTH of VIRGINIA

GENE M. JOHNSON  
DIRECTOR

*Department of Corrections*

P. O. BOX 26963  
RICHMOND, VIRGINIA 23261  
(804) 674-3000

### INMATE GRIEVANCE RESPONSE FORM Level III

K. Brown, #207902	Red Onion State Prison	620-29506
Inmate Name and Number	Institution	Log Number

**Level III: Deputy Director/Director Response:** (To be completed and mailed within twenty (20) calendar days)

I have reviewed your grievance appealing the decision of the Publication Review Committee's disapproval of the "The Final Call" publication, Volume 28, #'s 4, 10, 12, 13, 14, 15, & 18.

In accordance with Operating Procedure 803.2, Incoming Publications, Section V, E (6) approval to order or receive a publication or subscription is not a blanket approval of the publication; each issue will be reviewed at the facility prior to delivery to inmates. The Warden/Superintendent or his designee should disapprove any publication for receipt and possession by inmates, if it is not already on the Disapproved Publication List and it can be documented to contain material that violates Operating Procedure #803.2, as specifically listed in 803.2 Section V (L) and Attachment #1. Red Onion State Prison determined that the publication might have contained material in violation of Operating Procedure 803.2 and forwarded it to the Publication Review Committee in accordance with policy.

On March 6, 2009, "The Final Call" issues #4, 10, 12, 13, 14, 15, & 18 were reviewed by the Publication Review Committee and it was determined these issues violated Operating Procedure 803.2-Section V (L), Attachment 1, #7 and #12 as follows:

#7. Material that promotes or advocates violence, disorder, insurrection or terrorist activities against individuals, groups, organizations, the government, or any of its institutions

#12. Material whose content could be detrimental to the security, good-order, discipline of the facility, or offender rehabilitative efforts or the safety or health of offenders, staff, or others

I have considered your appeal of the Committee's decision and have determined that the Publication Review Committee disapproved the publication in accordance with Operating Procedure 803.2, Incoming Publications. I am upholding the Committee's decision. Your grievance is **unfounded**. You have exhausted all administrative remedies.

Date:

4/3/09

J. Jabe, Deputy Director of Operations

*RECEIVED**RECEIVED*

MAY 1 2009

MAY 06 2009

INMATE GRIEVANCE RESPONSE FORM  
Deputy Director, Operations

LEVEL I

K. Brown, 207902

Red Onion State Prison

620-29500 Deputy Director, Operations

Inmate Name and Number

Institution

Log Number

LEVEL I: Warden's Response. (To be completed and mailed within thirty calendar days.)

**Grievance Summary:** You stated you are grieving the disapproval by the Publication Review Committee of your "Final Call, Vol. 28, #'s 4; 10; 12; 13; 14; 15; and 18. This notice was dated March 31, 2009.

**Informal Summary:** Your disapproval notices from the Publication Review Committee is attached.

**Investigation:** As you were advised by the memorandum dated March 31, 2009, your publication was reviewed and determined to violate Procedure 803.2, #12. This decision was made by the Publication Review Committee, and Major Fleming was notified of their decision. All books, publications, and tapes are subject to review for compliance with Procedure 803.2 prior to delivery to you. It is only required that the policy number of the violation be noted on your disapproval notice.

**Policy/Procedure:** OP 803.2 governs this issue.

In accordance with the above information, this grievance is considered to be UNFOUNDED, as procedures have been correctly applied. No further action appears to be necessary at this time.

*M. J. F.*

Warden

*4-30-09*

Date

In accordance with procedure 866.1 governing Inmate Grievance Procedures, if you are dissatisfied with this response you may appeal this decision within five (5) calendar days to:

Deputy Director of Operations,  
P. O. Box 26963  
Richmond, Virginia 23261-6963

I wish to appeal the LEVEL I Response because:

*SEE ATTACHMENT*

*M. Kelvin Brown 207902*  
NAME AND INMATE NUMBER

*05/02/09*  
DATE

FT

*RECEIVED*

MAY 19 2009

Ombudsman Services Unit

*RECEIVED*

MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

**RECEIVED**

MAY 19 2009

ATTACHMENTS:

Ombudsman Services Unit

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

APPEAL OF GRIEVANCE 670-29506

AS IT RELATE TO PROCEDURE 803.2 #12, INSTITUTIONAL MAJOR (L. FLEMING) CLAIMS, (THESE RELIGIOUS NEWSPAPERS) "ARE" MATERIAL WHOSE CONTENT COULD BE DETERIMENTAL TO THE SECURITY, GOOD ORDER, DISCIPLINE OF THE FACILITY, OR OFFENDER REHABILITATIVE EFFORTS OR THE SAFETY OR HEALTH OF OFFENDERS, STAFF, OR OTHERS."

THIS PUBLICATION IS APPROVED THROUGHOUT THE V.A. D.O.C. I HAVE RECEIVED IT FOR OVER 14 1/2 YEARS, PRIOR TO COMING TO RED ONION. IN LIKE MANNER, THIS PUBLICATION HAS BEEN COMING INTO RED ONION SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, STABBING, RIOT, ESCAPE OR ANY OTHER REPORTED DISRUPTION AS A RESULT OF THIS PUBLICATION NOR HAS THE INSTITUTION DISPLAYED, REPORTED, OR OTHERWISE COLLECTED OR HAVE DATA, VIA AN INVESTIGATION, THAT A FUTURE RIOT, ESCAPE, OR PLANNED ASSAULT OR DISRUPTION IS IMMINENT.

**RECEIVED**

MAY 12 2009

PROCEDURE 803.2 #12, IS ALSO ~~NOT APPROVED~~  
 THE PRIOR WORDS OF: "A PUBLICATION SHOULD BE APPROVED  
 IF IT CAN BE REASONABLY DOCUMENTED CONTAIN." AGAIN,  
 IN THIS ALLEGED INDEPENDENT REVIEW, NO REASONABLE-  
 NESS HAS BEEN RENDERED. MAJOR FLEMING HAS OTHER-  
 WISE USED HIS AUTHORITY TO DENY, REPEATEDLY, FOR OVER  
 6 1/2 MONTHS THIS PUBLICATION WITHOUT DUE PROCESS  
 OR OFFERING A "REASONABLE REASON. HE USES POLICY  
 ARBITRARILY. MY PERSONAL CONVERSATION WITH HIM  
 BACK.

PG. 2

IN APRIL 2009, HE REVEALS, HE HAS A PERSONAL ISSUE WITH THE PHILOSOPHICAL TEACHINGS OF THE NATION OF ISLAM. HE OFFERED NO SOUND PROOF OR REASONABLE REASON - AS IT RELATED TO DANGER, DISORDER, OR SECURITY THREAT. (I AM NOT A CHRISTIAN, THOUGH I RESPECT ALL CHRISTIANS. YET, I DO NOT BELIEVE IN MANY OF THESE DOGMAS, DOCTRINES AND/OR PHILOSOPHY WHEN IT COMES TO JESUS, HELL, OR HEAVEN. THIS SHOULD NOT BE ENOUGH TO DENY A PERSONS RELIGION MATERIAL BECAUSE YOU DO NOT PERSONALLY AGREE. THIS IS THE MEASURE OF CHEATING A SUBSTANTIAL BURDEN AND IT'S THE MOST RESTRICTED MEANS. CHAPLAIN DEPARTMENT DOES NOT PROVIDE/OFFER NATION OF ISLAM RELIGIOUS MATERIAL; VIDEOS SHOWN ONCE CLOSE CIRCUIT TELEVISION ARE OLD, CUTS OFF HALF WAY THROUGH, AND HAS ONLY SHOWN TWICE IN THE 12 MONTHS I'VE BEEN AT REDONZON.)

I ASKED MAJOR FLEMING, WHAT IS THE THREAT OR DISRUPTIVE ELEMENT OF THE PUBLICATION. HE OFFERED NO EXPLANATION. I ASKED, WHAT EVIDENCE DO HE OFFER TO SUPPORT THIS CLAIM; HE OFFERED NONE - ONLY KIATUNG AXIAY. THERE HAS NEVER BEEN A REPORTED ASSAULT (PHYSICALLY OR VERBALLY) ON STAFF, OFFICERS, OR PRISONERS AS A RESULT OF THIS PUBLICATION. (REDONZON ALWAYS HAD, AND STILL DO HAVE RACIST OFFICERS WHO KIATUNG AXIAY AND VERBALIZE THEIR DISLIKE, HATRED, AND BIGOTRY FOR BLACKS, HISPANICS, AND BI-RACIAL PRISONER; THIS INCLUDES THEIR BIGOTRY TOWARDS ISLAM.)

**RECEIVED****RECEIVED**

MAY 18 2009

PG. 3

MAY 19 2009

Ombudsman Services Unit

Deputy Director, Operations

I had RECEIVED this publication AT RED ONION FROM Aug. 2008 UNTIL NOV. 2008, WITHOUT HAVE ONE APPROVED OVER 12-13 KEEPS. WITHOUT TRUE REASON, THE PUBLICATION IS BEING REPEATEDLY DENIED - EVERY WEEK. Though, this publication IS BEING PERMITTED AT OTHER INSTITUTIONS (THAT'S A FACT).

THIS IS A RELIGIOUS PUBLICATION; IT DOES NOT ADVOCATE, PROMOTE, TEACH, OR ADVISE GANG ACTIVITY, TERRORISM, INSURRECTION, VIOLENCE, CIVIL UNREST OR ANYTHING ALIKE TO SUCH DOCTRINE. IT TEACHES JUST THE OPPOSITION. QUESTION! IF THIS PUBLICATION VIOLATES 803.2 #12 - THEN WHY ARE THE BOOKS THAT CONTAIN THE SAME TEACHINGS ALLOWED IN THE INSTITUTION? YET, NO ~~DETENTION~~ HAS BEEN COMMITTED OR REPORTED?

**RECEIVED**

MAY 12 2009

OMBUDSMAN SERVICE UNIT

WESTERN REGION

I STATE, IN CONCLUSION, RED ONION HAS ONLY QUOTED POLICY, OFFERING NO SUBSTANTIAL PROOF, EVIDENCE TO SUPPORT THEIR CLAIM. THIS IS ABUSE OF AUTHORITY AND IMPARTIAL HEARING / REVIEW. (THE SAME PARTY THAT DENIED MY PUBLICATIONS, ARE THE SAME P.H.C. THAT REVIEWED THEM.) NO ONE REVIEWED THESE PUBLICATIONS WITH IMPARTIALITY OR FAIRNESS. EVIDENCE CLEARLY SHOWS, THIS PUBLICATION, IN THE PAST, PRESENT, OR FUTURE, POSES A THREAT TO THE INSTITUTION. (THIS IS A SEGREGATION UNIT; PRISONERS ARE RESTRICTED TO 23-24 HRS. LOCK-DOWN; ALL MOVEMENT TO-FROM ARE IN CUFFS AND SHACKLES; PRISONERS ARE NOT PERMITTED TO TRADE).

- BACK -

PG. 5

OR EXCHANGE MATERIALS IN AN OVERALL MANNER, THIS IS THE ONLY MEANS FOR ME (AND OTHERS) TO OBTAIN MATERIAL OF ISLAM HELIGIOUS MATERIAL (CHAPLAIN DOES NOT PROVIDE SUCH). THIS IS THE MOST SECURE PRISON IN THE U.S. D.O.C., WHERE IS THE SEALE THREAT OR DANGER? THE GOOD ORDER IS DETERMINED TO CONTROL PRISONERS BEHAVIOR, PREVENT ESCAPES, ASSAULTS, ARRESTS, ETC. (NONE OF THE ABOVE HAS TAKING PLACE OR BEEN REPORTED, AS A RESULT OF THIS PUBLICATION. IF IT "COULD," THEN WHERE IS THE PROOF/EVIDENCE? NONE HAS BEEN OFFERED) THIS DISCIPLINE OF HEDONON, IS WHAT IT IS. TO DENY THIS PUBLICATION HAS NOT MADE HEDONON SAFER OR LESS SAFE; CHARGES ARE STILL WRITTEN BY DIFFERENT INCIDENCE, HOWEVER, NOT AS A CAST OR CAUSE OF THIS PUBLICATION) I AM NOT A SEXUAL OFFENDER (I'M CONFINED FOR ROBBERY AND GUN CHARGE, SENT TO HEDONON FOR ALLEGED CLOSING A DOOR ON A COUNSELOR AT AUGUSTA, NOT RELATED TO A REHABILITATIVE MEANS. AND THIS PUBLICATION, IN NO WAY POSES A DANGER TO THE HEALTH OR WELL BEING OF THE STAFF, OFFICERS, OR OTHERS.

THIS PUBLICATION HAS BEEN REPEATEDLY DENIED SINCE NOV. 2008 (7 MONTHS), THIS IS AN ACT OF "BANNING" THIS PUBLICATION. THESE DENIED ISSUES ARE NOT LISTED IN "DOCS-APPROVED LIST BOOK", NOR HAVE THE AUTHORITIES CONTACTED PUBLISHER TO NOTIFY THEM OF SUCH (AS IT'S REPORTED IN SOS.2). AND, OTHER INSTITUTIONS ARE PERMITTING THESE SAME ISSUES

**RECEIVED**

MAY 18 2009

PG. 5

Deputy Director, Operations

without incident

I ASK that THERE be A THOROUGH AND COMPLETE INDEPENDENT REVIEW of "EACH DENIED ISSUE" of this PUBLICATION, WITH AN IMPARTIAL REVIEW. THAT EVIDENCE BE SUPPORTED, TO SUPPORT SUCH CLAIM BY AUTHORITIES AT RED ONION. ( I STATE, TO CITE policy without proof OR EVIDENCE IS AN ARBITRARILY ABUSE OF AUTHORITY AND PROOF OF RELIGIOUS AND RACIAL DISCRIMINATION.)

**RECEIVED**  
MAY 12 2009OMBUDSMAN SERVICE UNIT  
WESTERN REGION

AGAIN, THIS DENIAL DOES NOT CREATE A STATE OR PENALOGICAL INTEREST - AS IT RELATED TO SECURITY AND ORDERLY OPERATION OF RED ONION (THESE HAS BEEN THE SAME PERSON FOR OVER 10 yrs., SAME CRIMINAL COMPLAINTS AND ALLEGATIONS.). THIS DENIAL DOES CREATE A SUBSTANTIAL BURDEN ON PRISONERS TO PRACTICE THEIR FAITH AND RELIGION (ESPECIALLY WHEN THE INSTITUTION DOES NOT OFFER NATION OF ISLAM RELIGIOUS MATERIAL NOR SHOW VIDEOS OF OR BY NATION OF ISLAM ON A REGULAR (weekly bases,) THE FACTS SHOW, THIS ACT, ON BEHALF OF RED ONION AUTHORITIES, IS RELIGIOUS AND RACIAL MOTIVATED (I CAN GET CHRISTIAN MATERIAL LIKE CLOCK-KNOCK).

PLEASE REVIEW THIS MATTER AND REVIEW IT MOST FAVORABLE TO THE FACTS, EVIDENCE; WITHOUT PARTIALITY AND WITHOUT BEASNESS

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

THANK You,

Mr. Kelvin Brown

**RECEIVED**MAY 19 2009  
Ombudsman Services Unit

REGULAR GRIEVANCE

**RECEIVED**

MAY 18 2009

Log Number: 29506

620 -

Deputy Director, Operations

Brown, K.	207902	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) PATRICK TO THE DENIAL OF MY RELIGIOUS NEWSPAPER, I RECEIVED SUCH FOR 12-13 WEEKS (AUG. 2008 - NOV. 2008), SINCE THEN, THE PAPER HAS BEEN REPEATEDLY DENIED - FOR MORE THAN 4 1/2'S MONTHS; FOR REASONS: "DETRIMENTAL TO SECURITY, ORDERLY OPERATIONS, ETC. FACT BE TOLD, THIS PAPER HAS BEEN COMING INTO THE VA. D.O.C. AND R.O.S.P. SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, RIOT, ESCAPE, OR DISRUPTIVE TO THE ORDER OR SECURITY OF R.O.S.P., NOR ARE THERE ANY DATA/INTELLIGENCE EXISTING, SAYING, THERE ARE FUTURE PLANNING TO COMMIT ASSAULT, RIOT, ESCAPE, ETC. Moreover, TO DENY THE NEWSPAPER HAS NOT MADE R.O.S.P. SAFER NOR MORE DISRUPTIVE. THIS REPEATED, ARBITRARY DECISION TO DENY IS MEANINGLESS, IT DOES NOT SERVE A PENALTICAL INTEREST; THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY), NOR DOES THE DEPT. PROVIDE N.O.R. MATERIAL/LITERATURE. THIS IS VIOLATION OF MY RELIGIOUS RIGHTS. THIS VOLUME, NOR ANY OTHER IS A THREAT TO R.O.S.P.

What action do you want taken? AS PREVIOUSLY DONE, AND AS THROUGH VA.D.O.C., PERMIT THE NEWSPAPER TO ALL PRISONERS AT R.O.S.P.; THAT IS A SEGREGATION ONCE, HOW DOES THIS PUBLICATION POSES A "DETRIMENT" TO SECURITY? STOP THE VIOLATIONS OF PRISONERS' RELIGIOUS RIGHTS. AND APOLOGIZE TO ALL, VIA MEMO, FOR SUCH CHARACTERIZATIONS AND VIOLATIONS.

Grievant's Signature:

K. Brown**RECEIVED**

MAY 14/01/09

Warden/Superintendent's Office:

J. Taylor

MAY 12 2009

**RECEIVED**Date Received: 4/3/09OMBUDSMAN SERVICE UNIT  
WESTERN REGION

APR 03 2009

**Grievance**

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

**MEMORANDUM**

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313

FROM: Major L. Fleming, Chief of Security

DATE: 3/31/2009

SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 4 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

**RECEIVED**

MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION**RECEIVED**

APR 03 2009

**Grievance**

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

**MEMORANDUM****Red Onion State Prison****Warden: Tracy S. Ray**

TO: Brown Kelvin 207902 D 313

FROM: Major L. Fleming, Chief of Security

DATE: 3/31/2009

SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 10 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

**RECEIVED**

MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION**RECEIVED**

APR 03 2009

**Grievance**

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

**MEMORANDUM**

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313

FROM: Major L. Fleming, Chief of Security

DATE: 3/31/2009

SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 12 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

**RECEIVED**

MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION**RECEIVED**

APR 03 2009

Grievance

REGULAR GRIEVANCE **RECEIVED**

MAY 18 2009 Number: \_\_\_\_\_

Deputy Director, Operations

BROWN, K.	20792	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) *Prize to the REPEATED DENIAL of my Religious Newspaper,*

*I had received it for 12-13 weeks (consecutively), SINCE THEN, IT HAS BEEN DENIED FOR 4 1/2 - 5 MONS. THERE'S NO EVIDENCE TO SUGGEST NOR SUPPORT THAT THE DENIAL OF THIS PUBLICATION MAKES R.O.S.P. SAFER OR LESS SAFER. THERE HAS BEEN NO ASSAULTS, BEATS, ESCAPE, ETC., AT THE HAND OF THIS PUBLICATION. AGAIN, THIS IS A RELIGIOUS PUBLICATION. RED GUNN IS A SEGREGATION UNIT, 95% OF POPULUS LOCKED BEHIND THE DOOR, 24 HRS A DAY. THIS DENIAL OF THIS RELIGIOUS PUBLICATION DOES NOT POSE A THREAT TO R.O.S.P.; IT'S SECURITY OR STAFF, AND, IT DOES NOT SERVE A STATE OR PENITENTIAL INTEREST, HOWEVER, IT DOES VIOLATE PERSONS RELIGIOUS RIGHTS. CHAPLAIN SERVICE DOES NOT PROVIDE NATION OF ISLAM MATERIAL, NOR SHOW VIDEO (NOZ) WEEKLY.*

What action do you want taken? *As done previously, And as thought VA-D.O.C., permit ALL PRISONERS TO RECEIVE THE PUBLICATION; STOP THE RELIGIOUS RIGHTS VIOLATIONS, AND APOLOGIZE, VIA MEMO.*

**RECEIVED**

MAY 19 2009

Grievant's Signature:

Ombudsman Services Unit

Date:

04/01/09

Warden/Superintendent's Office:

**RECEIVED**

Date Received:

APR 03 2009

**RECEIVED**

MAY 12 2009

**Grievance**OMBUDSMAN SERVICE UNIT  
WESTERN REGION

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

**MEMORANDUM****Red Onion State Prison****Warden: Tracy S. Ray**

TO: Brown Kelvin 207902 D 313  
 FROM: Major L. Fleming, Chief of Security  
 DATE: 3/31/2009  
 SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 13 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
 Mail Room  
 File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

**RECEIVED**

APR 03 2009

**Grievance**OMBUDSMAN SERVICE UNIT  
WESTERN REGION



VIRGINIA DEPARTMENT OF CORRECTIONS  
RED ONION STATE PRISON  
Inmate Request For Information/Service

Implementation Memo for DOP# 866  
Attachment #2

## INMATE REQUEST FOR INFORMATION/SERVICE

**INSTRUCTIONS FOR FILING:** If you have a complaint that may result in a formal grievance, you must use the Informal Complaint Form. This form is to be used for requesting general information through specific departments. Please ensure that your topic coincides with the appropriate department.

Please fill out form & send to (please check one below) and place in the institutional mail:

- Warden
- Assistant Warden
- Major (security)
- Treatment/TPS
- Operations Officer
- Business Office
- Property Control
- Unit Manager, \_\_\_\_\_ Bldg.

- DCE
- Mental Health
- Medical
- Food Service
- Dentist
- Recreation Supervisor
- Inmate Records
- Disciplinary Hearings Officer

RECEIVED

JUN 04 2009

ROSP  
Major

- Mailroom
- Inmate Grievance Office
- Safety Officer
- Institutional Investigator
- Buildings & Grounds
- Laundry \_\_\_\_\_
- Chaplain \_\_\_\_\_
- Other \_\_\_\_\_

K. BROWN	207902	D	313
Inmate's Last Name	First Name	Number	Building

**PLEASE STATE YOUR QUESTION:**

I submit this REQUEST to you, REGARDING A LETTER I SENT to you - sum two weeks ago, wherein I voiced my CONCERN to you AS THE NEXT ALLEGED REASON to DENY MY Religious NEWSPAPER: THE FINAL CALL. THE NEXT ALLEGATION - AS I'M SURE YOU KNOW - HAS CHANGED FROM D.O.P. 803.2 #12, TO NOW, 803.2 #7 - WHEREIN, CLAIMS THAT THE FINAL CALL NEWS PAPER, "PROMOTES" "Advocate", AND ESPAUSES VIOLENCE AGAINST INDIVIDUALS, GROUPS, THE GOVERNMENT and others. IN STATEMENTS I must say, THESE ALLEGATIONS ARE FALSE, RACIST, AND DISRESPECT YOUR AND YOUR LEADERS BETTER'S BROTHER; TO USE POLICY TO ENFORCE SUCH BROTHERY. I SHARED WITH YOU THESE CLAIMS, WHICH APPEARS YOU BELIEVE KIERE TRUE; HAVE YOU CONTACTED THE LOCAL F.B.I? THE OFFICE OF HOMELAND SECURITY? YOUR INSTITUTIONAL INVESTIGATOR? YOU MAKE THESE CLAIMS, BUT SHOW NO EVIDENCE TO SUPPORT SUCH. THE NATION of ISLAM HAS NEVER TAUGHT ESPAUSES, ADVOCATED, OR PROMOTE VIOLENCE. I'M SURE YOU KNOW THAT, THE F.B.I DOES ALSO. FURTHERMORE, IT'S VERY UNFAIR, AND UNPROFESSIONAL TO ALLEGUE THESE CLAIMS WITHOUT EVIDENCE / PROOF; THIS IS UP BROTHERY. I AM REQUESTING A MEETING, OR AN OPPORTUNITY TO SPEAK WITH YOU, OR TO SEE THE FACTS, WHICH THAT YOU STAND UPON. THANK YOU.

Inmate's Signature:

*K. Brown*

Date: 06/02/09

**STAFF RESPONSE:** When these Publications are received, IF they are Disapproved they are sent to the Review Committee for their review. If they Agree and Disagree they will contact us.

Respondent's Signature:

*JG*

Date:

6-8-09



## INMATE REQUEST FOR INFORMATION/SERVICE

**INSTRUCTIONS FOR FILING:** If you have a complaint that may result in a formal grievance, you must use the Informal Complaint Form. This form is to be used for requesting general information through specific departments. Please ensure that your topic coincides with the appropriate department.

Please fill out form & send to (please check one below) and place in the institutional mail:

**RECEIVED**

- Warden
- Assistant Warden
- Major (security)
- Treatment/TPS
- Operations Officer
- Business Office
- Property Control
- Unit Manager, \_\_\_\_\_



- DCE
- Mental Health
- Medical
- Food Service
- Dentist
- Recreation Supervisor
- Inmate Records
- Disciplinary Hearings Officer

- Mailroom
- Inmate Grievance Office
- Safety Officer
- Institutional Investigator Adams
- Buildings & Grounds
- Laundry \_\_\_\_\_
- Chaplain \_\_\_\_\_
- Other \_\_\_\_\_

K. Brown	207902	D	313
Inmate's Last Name	First Name	Number	Building

**PLEASE STATE YOUR QUESTION:**

I submit this follow-up request to you, regarding a request I letter I sent to your office, sum 1/2 weeks ago. In such correspondence, I was explaining the delayed denial of my Petigres publication, by Major Fleming / And her his liaison, for outrageous and bogus allegations.

I wanted to know, as investigator of matters relating to prisoners, but also officers and staff, what you look into this matter. Currently, I'm told, my Petigres faith community and publication "Advocate" and "Promote" terrorist activities. Etc. titles is Petigres bigotry and a far cry from the truth. I have received only 2 newspapers in approx. 8 months of a weekly publication, since April to May 2009. I received them every week. I do believe Major Fleming's decision, deny publication is racially and bigottedly motivated, which violates policy. He has yet, to present any facts to support her claims so, I turn to you, asking you to review this matter. Please respond THANKYOU.

Inmate's Signature: K. Brown Date: 06-01-09

**STAFF RESPONSE:** Promised to Major 6-2-09

The denial of your publication is simply violation of policy. There is no personal biasing in what you receive. It must comply with policy.

Respondent's Signature: JLG

Date:

(e-8-c)

**RECEIVED****MEMORANDUM**

MAY 18 2009

Deputy Director Operations

**Red Onion State Prison****Warden: Tracy S. Ray**

TO: Brown Kelvin 207902 D 313  
 FROM: Major L. Fleming, Chief of Security  
 DATE: 3/31/2009  
 SUBJECT: Publication Disapproval

Your publication The Final call Vol 28 # 14 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
 Mail Room  
 File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

**RECEIVED**

MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION**RECEIVED**

APR 03 2009

**Grievance**

**RECEIVED****MEMORANDUM**

MAY 18 2009

Deputy Director, Operations

**Red Onion State Prison****Warden: Tracy S. Ray**

TO: Brown Kelvin 207902 D 313  
 FROM: Major L. Fleming, Chief of Security  
 DATE: 3/31/2009  
 SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 15 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
 Mail Room  
 File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

**RECEIVED**

MAY 12 2009

APR 03 2009

OMBUDSMAN SERVICE UNIT **Grievance**  
WESTERN REGION

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

**MEMORANDUM****Red Onion State Prison****Warden: Tracy S. Ray**

TO: Brown Kelvin 207902 D 313  
 FROM: Major L. Fleming, Chief of Security  
 DATE: 3/31/2009  
 SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 18 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
 Mail Room  
 File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

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MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION**RECEIVED**

APR 03 2009

Grievance

REGULAR GRIEVANCE **RECEIVED**

MAY 18 2009

Log Number: 8

Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) Pray to the DENIAL of my Religious Newspaper, z RECEIVED such for 12-13 XIXS. (Aug. 2008 - Nov. 2008), SINCE THEN, THE PAPER HAS BEEN REPEATEDLY DENIED - FOR more than 4 1/2 - 5 MONS. - FOR REASONS OF: "DETAILED to SECURITY, orderly operation; etc. Fact be told, this publication has been coming into VA-D.O.C. AND R.O.S.P. SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, ESCAPE, Riot, OR disruption to ORDER OR SECURITY OF R.O.S.P., NOR ARE THERE ANY DATA/INTELLIGENCE existing, saying, THERE ARE FUTURE PLANNED ASSAULTS, ESCAPES, Riot, etc. Moreover, to DENY THE NEWSPAPER HAS NOT MADE R.O.S.P. MORE SAFER OR LESS. THE REPORTED, ARBITRARY DECISION TO DENY IS VIOLENT, IT DOES NOT SERVE A PENALOGICAL INTEREST; THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY), NOR DOES THE DEPT. PROVIDE N.O.E. MATERIAL / LITERATURE (HE DOES EVEN MAKE FRIENDS) THIS VOLUME DOES NOT pose A THREAT TO SECURITY NOR ITS ORDERLY OPERATION. IT DOES VIOLATE PRISONER RELIGIOUS RIGHTS.

What action do you want taken? As previously done, and is throughout VA-D.O.C., PERMIT THE NEWS-PAPER TO ALL PRISONERS AT R.O.S.P.; THIS IS A SEGREGATION UNIT, HOW DOES THE PUBLICATION pose A THREAT TO R.O.S.P.? STOP THE VARIANCE OF PRISONERS' RELIGIOUS RIGHTS AND APOLOGIZE TO ALL, VIA MEMO, FOR SUCH DISRESPECTS AND VIOLATIONS

Grievant's Signature:

**RECEIVED**

Date: 04/01/09

**RECEIVED**

Warden/Superintendent's Office:

03 2009

Date Received:

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

MAY 12 2009

vance



## REGULAR GRIEVANCE

**RECEIVED**

MAY 18 2009

Log Number:  
Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) PRIOR TO THE DENIAL OF MY RELIGIOUS LIBERTY - THE FINAL CALL NEWSPAPER - I RECEIVED IT FOR 12-13 CONSECUTIVE WEEKS (Aug. 2008 - Nov. 2008), SINCE THEN, THE PAPER HAS BEEN REPEATEDLY DENIED - FOR MORE THAN 4 1/2 - 5 MONTHS - FOR ALLEGED REASONS. "DETERIMENTAL TO SECURITY, ORDERLY OPERATION, ETC. FACT BE TOLD, THIS NEWSPAPER HAS BEEN COMING INTO THE VA-D.O.C. AND R.O.S.P. SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, RIOT, ESCAPE, OR DISRUPTION TO ORDER OR SECURITY OF R.O.S.P., NOR ARE THERE ANY DATA/INTELLIGENCE EXISTING, SAYING, THERE ARE FUTURE PLANNED ASSAULTS, RIOTS, ESCAPES, ETC. Moreover, to deny the news paper has not made R.O.S.P. SAFER NOR MORE DISRUPTIVE. THIS REPEATED, ARBITRARY DECISION TO DENY IS NOT WITH MERCY, IT DOES NOT SERVE A PENALOGICAL INTEREST; THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY) NOR DOES THAT DEPT. PROVIDE N.O.I. MATERIAL/LITERATURE. THIS IS VIOLATION OF MY RIGHTS.

What action do you want taken? AS PREVIOUSLY DONE, AND IS THROUGHOUT VA-D.O.C., PERMIT THE NEWSPAPER TO ALL PRISONERS AT R.O.S.P.; THIS IS A SEGREGATION UNIT, HOW DOES THIS PUBLICATION TRULY POSE A "DETERIMENT" TO SECURITY? STOP THE VIOLATION OF PRISONERS RELIGIOUS RIGHTS. AND APOLOGIZE TO ALL, VIA MEMO, FOR SUCH CHARACTERIZATIONS AND VIOLATIONS.

Grievant's Signature:

Warden/Superintendent's Office:

**RECEIVED****RECEIVED**Date: 05/18/09  
**RECEIVED**

Date Received:

APR 03 2009

MAY 19 2009

MAY 19 2009

**Grievance**Ombudsman Services Unit OMBUDSMAN SERVICE UNIT  
WESTERN REGION

REGULAR GRIEVANCE **RECEIVED**

MAY 18 2009 Log Number: \_\_\_\_\_

Deputy Director, Operations

Last Name	First	Number	Building	Cell/Bed Number
BROWN, K		207902	D	313

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.)

BEFORE THE REPEATED DENIAL OF MY RELIGIOUS NEWSPAPER, I HAD RECEIVED SUCH FOR 12-13 CONSECUTIVE WEEKS (AUT. 2008 - NOV. 2008), SINCE THEN IT HAS BEEN REPEATEDLY DENIED FOR 4 1/2 - 5 MONS. THERE HAS NEVER BEEN AN ASSAULT, ESCAPE, RIOT OR ANY OTHER DISRUPTION AT R.O.S.P., AS A RESULT OF THIS PUBLICATION; THERE'S NO EXISTING DATA/INTELLIGENCE THAT SUGGEST THERE ARE ANY IN THE FUTURE. THE DENIAL OF THIS PUBLICATION HAS NOT MADE R.O.S.P. SAFER OR LESS. THIS IS A SEGREGATION UNIT, WHEREIN 95% - 98% OF ITS POPULOUS ARE BEHIND THE DOORS 23-24 HRS. A DAY, THEREFORE, THIS PUBLICATION CANNOT AND DOES NOT POSE A THREAT TO THE SECURITY, ORDERLY OPERATION ETC. OF R.O.S.P. THIS PUBLICATION HAS BEEN APPROVED THROUGHOUT THE VA.D.O.C. SINCE 1988, AND R.O.S.P. SINCE 1998 - WHEREIN THERE'S BEEN NO PROBLEMS. THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY) NOR DOES IT PROVIDE H.O.I. RELIGIOUS MATERIAL. THIS IS A VIOLATION OF MY RELIGIOUS RIGHTS.

What action do you want taken? AS PREVIOUSLY DONE, AND IS THROUGHOUT VA.D.O.C., PERMIT ALL PERSONNEL RECEIVE THE PUBLICATION IN NO HINDRANCE OR SUPPRESSION; STOP THE CHANNELIZATIONS AND VIOLATIONS OF PRISONER RIGHTS AND APOLOGIZE TO ALL, VIA MEMO AND STOP THE VIOLETION OF PRISONER'S RELIGIOUS RIGHTS

Grievant's Signature:

**RECEIVED**Date: 04/01/09

Warden/Superintendent's Office:

APR 03 2009**RECEIVED**MAY 19 2009**RECEIVED**MAY 12 2009

Date Received:

**Grievance**

Ombudsman Services Unit

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

**RECEIVED**  
**REGULAR GRIEVANCE**

MAY 18 2009

Log Number: \_\_\_\_\_  
Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building

**WHAT IS YOUR COMPLAINT?** (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.)

*Pray to the REPEATED DENIAL of my Religious publications, I had received such for 12-13 wks. (Aug. 2008 - Nov. 2009), since then, it has been denied for 4 1/2-5 mos. THERE'S NOT EXISTING DATA/INTELLIGENCE THAT SUGGEST THIS PUBLICATION WHICH IS APPROVED THROUGHOUT VA-D.O.C. - POSES A THREAT TO SECURITY, ORDERLY OPERATION, ETC. OF R.O.S.P. BECAUSE OF THIS PUBLICATION, THERE HAS NEVER BEEN A REPORTED ASSAULT, ESCAPE, Riot, etc. NOR ARE THERE ANY REPORT PLANS FOR SUCH, AT THE HAND OF THIS PUBLICATION. THIS IS A RELIGIOUS PUBLICATION! BECAUSE, OR AS A RESULT OF ITS DENIAL, IT HAS NOT MADE R.O.S.P. SAFER OR LESS. THIS IS A SEGREGATIONAL ONCE, WHEREIN OVER 95% OF THE POPULOUS ARE LOCKED BEHIND A DOOR 23-24 HRS; THE CHAPLAIN DEPT. DOES NOT PROVIDE OFFICE NATION OF ISLAM MATERIAL, NOR SHOW NO. 2. RELIGIOUS VIDEOS(SICKLE). THIS REPEATED DENIAL IS RELIGIOUS BIGOTRY AND VIOLATES MY RELIGIOUS RIGHTS.*

**What action do you want taken?** *As previously done, and is throughout VA-D.O.C., permit all prisoners to receive publications in belligerence or suppression; Stop the RELIGIOUS BIGOTRY VIOLATIONS AND APOLOGIZE TO ALL, VIA MEMO.*

**RECEIVED**

MAY 18 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

Grievant's Signature:

*K. Brown*

Date:

04/01/09

Warden/Superintendent's Office:

**RECEIVED**

APR 03 2009

Date Received:

**Grievance****RECEIVED**

MAY 19 2009

Ombudsman Services Unit

REGULAR GRIEVANCE **RECEIVED**

MAY 18 2009

Log Number: \_\_\_\_\_

Deputy Director, Operations

BROWN K	207902	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.)

*Please to the REPEATED denial of my Religious Newspaper, I had RECEIVED it for 12-18 consecutive weeks - SINCE THEN, it has been Repeatedly denied SINCE Nov. 2008. THERE has been NO supporting evidence, data or intelligence that suggest Red Onion is safer or less, as a result of denying this publication. THERE has been NO assault, Roots, ESCAPE, etc., as a result of this publication. This is a SEGREGATOR UNIT prison; 95% or more of the populations are locked behind the door 23-24 hrs a day. THE chaplain service does not provide/offer NATION of ISLAM material/literature, nor shows N.O.Z. Journals (weekly). R.O.S.P, is a most severe prison in VIRGINIA, and it's not because of the denial of this publication. THE ARBITRARY decision to deny this newspaper is also merit and violates my Religious Right.*

What action do you want taken? *As previously done, and throughout VA-D.C., permit all prisoners to receive the paper; stop the Religious Right violations, and Apologize to all, via memo.*

**RECEIVED**

MAY 12 2009

Grievant's Signature:

*K. Brown*OMBUDSMAN'S OFFICE  
WESTERN REGION

Date:

07/01/09

Warden/Superintendent's Office:

**RECEIVED**

Date Received: APR 03 2009

Grievance

**RECEIVED**

MAY 19 2009

Ombudsman's Office  
Revision Date: 09/29/07

**INMATE GRIEVANCE RESPONSE FORM  
LEVEL I**

Brown, K. 207902	Red Onion State Prison	620-29520
Inmate Name and Number	Institution	Log Number

**LEVEL I: Warden's Response** (To be completed and mailed within thirty calendar days.)

**Grievance Summary:** You stated Chaplain Mitchell has been negligent in his responsibilities to counsel and offer spiritual assistance to you. Your written requests to his office have gone unanswered. You did not get a response to informal complaint #11630 which was due on April 1, 2009. You have only seen the Chaplain once in the 10 months you have been here. He did not get back with you as he said he would concerning your religious rights violation. You also requested Nation of Islam materials which he has not provided. The Chaplain should be making weekly rounds in each pod to address religious concerns.

**Informal Summary:** You did not get a response to informal complaint #11630.

A face-to-face meeting was conducted for this grievance. Counselor Tiller discussed this issue with you on April 7, 2009.

**Investigation:** Chaplain Mitchell advised that he has visited you on several occasions to discuss your issues. He has documented that materials have been sent to you through the institutional mail also. Religious materials are donated and are distributed as they become available. Chaplain Mitchell cannot help you with your concern of being denied material when it violates policy. All material is subject to review for compliance with Operating Procedure 803.2 prior to delivery to you. This is done on a case-by-case basis. This is an issue you will need to address with Major Fleming and Property Department, not Chaplain Mitchell. Chaplain Mitchell completes his job duties as required and responds to requests and concerns in a timely manner.

Chaplain Mitchell did not receive informal complaint #11630 according to his records, therefore you did not get a response. It appears to have been misplaced or lost, therefore this grievance is founded. Policy has been violated since you did not get a response to your informal complaint.

**Policy/Procedure:** Operating Procedure 866.1 and 841.3 govern this issue.

This grievance is **FOUNDED**, as there has been incorrectly applied procedure of this policy. The informal complaint was lost or misplaced in transit. Every effort will be made to ensure this does not occur again.

---

  
Warden

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5-5-09

Date

In accordance with procedure 866 governing Inmate Grievance Procedures, if you are dissatisfied with this response you may appeal this decision within five (5) calendar days to:

Regional Director  
Western Regional Office  
5427 Peters Creek Road, Suite 250  
Roanoke, Virginia 24019-3896

Brown, K. 207902  
Grievance #620-29520  
Page 2

I wish to appeal the LEVEL I Response because:

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NAME AND INMATE NUMBER

DATE

rm

REGULAR GRIEVANCE *g*Log Number: 620-29520

Last Name	First	Number	Building	Cell/Bed Number
Brown, K.		207902	D	313

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) IN CONJUNCTION WITH INFORMATION CONTAINED WITHIN COMPLAINT FORM: I'VE REPEATEDLY WRITTEN THE CHAPLAIN, REQUESTING HIS SERVICE TO INTERVENE REGARDING MY RELIGIOUS RIGHTS VIOLATION, AS IT RELATE TO D.O.P. 841.3 AND 803.2. CHAPLAIN HAS BEEN NEGLECTFUL IN HIS RESPONSIBILITIES TO COUNSEL AND OFFER SPIRITUAL ASSISTANCE TO THOSE CONFINED AT R.O.S.P. MY REPEATED AND NUMEROUS REQUESTS TO HIS OFFICES REGARDING THIS MATTER HAS GONE UNANSWERED. IN THE 10 MONTHS I'VE BEEN AT R.O.S.P., I'VE ONLY SEEN THE CHAPLAIN ONCE. IN THAT ENGAGEMENT, HE VERBALLY TOLD ME, HE WOULD INVESTIGATE MY MATTER AND HE WOULD GET BACK WITH ME. HE HAS FAILED TO DO SO. I ALSO REPEATEDLY REQUESTED FROM HIS OFFICE, NATION OF ISLAM MATERIALS / LITERATURE. I HAVEN'T RECEIVED ANY. THE CHAPLAIN HAS NEGATED HIS DUTIES - D.O.P. 841.3

What action do you want taken? THAT THE CHAPLAIN MAKE WEEKLY (OR BI-WEEKLY) ROUNDS TO EACH POD; ADDRESS THE SPIRITUAL AND RELIGIOUS CONCERN OF PRISONERS AT R.O.S.P.; OFFER NATION OF ISLAM MATERIALS / LITERATURE; OBTAIN N.O.I. VIDEOS TO BE SHOWN WEEKLY ON CLOSE-CIRCUIT TELEVISION; AND ADDRESS THE CONCERN OF THE REPEATED DENIAL OF PRISONERS RELIGIOUS PUBLICATIONS. APOLOGIZE TO ALL FOR HIS NEGLIGENCE ON DUTY.

Grievant's Signature:

*K. Brown*Date: 04/02/09

Warden/Superintendent's Office:

*R. Mullins*

RECEIVED

Date Received: 4/6/09

APR 06 2009

GRIEVANCE

**Informal Complaint**

**INSTRUCTIONS FOR FILING:** Briefly write your issue in the space provided on the Informal Complaint form, preferably in ink. Only one issue per Informal Complaint. Place your complaint in the designated area at your facility. A receipt is issued within 2 working days from the date received if the informal complaint is not returned during intake. If no response is received within 15 calendar days, you may proceed in filing a regular grievance. You may utilize your receipt as evidence of your attempt to resolve your complaint.

K. BROWN

# 207902

313

Offender Name

Offender Number

Housing Assignment

- Unit Manager/Supervisor  
 Personal Property  
 Medical Administrator

- Food Service  
 Commissary  
 Other (Please Specify): Chaplin

- Treatment Program Supervisor  
 Mailroom

Briefly explain the nature of your complaint (be specific):

I submit this complaint according to the neglect of institutional Chaplains. At 11:00 a.m. I was assigned to DOP 8413. I have a problem with the Chaplain assigned to my Unit Leader (Religious) April, and because of my religious affiliation, I spoke with her on Tuesday, April 14, 2009. We met outside my cell for about one week that time he stated that he would see Chaplain the next night. Friday, April 17, 2009, DOP 8413.

Offender Signature

Date

03/16/09

Offenders - Do Not Write Below This Line

Date Received: 3/11/09

Tracking # 11030

Response Due: 4/1/09

Assigned to: Chaplin

Action Taken/Response:

Respondent Signature

Printed Name and Title

Date

Original – Offender

First Copy – File

Second Copy – Offender as Intake Receipt

RECEIVED  
APR 16 2009  
GRIEVANCE